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Lisa Benado
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026

EXAMINER
WANG, JIN CHENG

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	09/680,107	REID, GLENN
	Examiner	Art Unit
	Jin-Cheng Wang	2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 March 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 3/10/2008 has been entered. Claims 1, 8, 15, and

21 have been amended. Claims 27-38 have been newly added. Claims 1-38 are pending in the

present application.

Response to Arguments

Applicant's arguments, filed March 10, 2008, with respect to the amended claim 1 and

similar claims have been considered but are moot in view of the new ground of rejection based

on the Adobe After Affect Version 4.0, July 15, 1999,

http://proquest.safaribooksonline.com/0201658917, (hereinafter After-Effect).

As addessed in the present Office Action, the claim 1 is fulfilled by After-Effect in view of

Phillips U.S. Patent No. 6,215,485 (hereinafter Phillips).

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that the effects and

properties applied to the proxies or the lower-resolution counterparts are applied to the actual

footage stored in ActHiR.mov wherein the effects and properties are rendered to a memory or a

file called ActHiR.mov during the displaying of the proxies or the low-resolution counterparts.

After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window with a sequence of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed while actually being performed on the actual movie footage wherein the effects and properties are applied to the actual footage to create the revised footage. For this reason, After-Effect teaches a first representation of the presentation of a time-based stream of information---the actual footage---as first represented by actual footage movie and then second represented by the proxy movie footage at a resolution and frame rate set by the user.

The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames and the simulation of the modifications is later stored as a proxy footage file ActPrx.mov or FX_HiR.mov----representing the proxy frames, which is NOT stored in the claimed "file" corresponding to the revised movie footage file---ActHiR.mov. Thus, creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---

ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original

footage to create a revised movie footage----ActHiR.mov----which is resident on a storage.

When the effects being added to the movie footage---ActHiR.mov---stored on a storage device,

simulation occurs within the storage file, ActHiR.mov. The simulation of modifications refers to

the simulation of the proxy footage when the effects are added to the proxy frames on a display

as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the

rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at

quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects

are applied to produce the proxy during the rendering of a plurality of time-based streams such as

the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See

also Page 30-31 wherein a variety of effects are applied to the lower-resolution

proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that <u>the effects and properties</u>

<u>applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored</u>

<u>in ActHiR.mov</u>----wherein the movie has been revised by adding effects to the original footage.

Although the proxy footage is also stored in the file folder as a proxy file, it is different from the

revised movie footage----ActHiR.mov. See Page 11 wherein ActPrx.mov is a proxy movie of

ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the original movie

footage displayed as a representation of the original movie.

Claim Objections

Claims 27, 30, 33 and 36 are objected to because of the following informalities: For

example, at line 1 of the claim 27, "a method" is claimed. However, a method of what is

claimed? At line 1 of the claim 30, "a system" is claimed. However, a system of what is

claimed? At line 1 of the claim 33, "a machine readable medium having instructions" is claimed.

However, there is no mention of what instructions or what operations. At line 1 of the claim 36,

"a system" is claimed. However, a system of what is claimed? Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
requirements of this title.

Claims 33-35 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter.

The claim 33 recites "a machine readable medium having instructions stored thereon,

which, when executed by the machine, cause the machine to perform operations comprising".

The claimed machine readable medium is not necessarily computer readable storage medium.

The claimed instructions are not necessarily computer executable instructions. The claimed

machine is not necessarily computer. There is no structural and functional interrelationship

between the instructions and the computer which permit the instructions' functionality to be

realized.

Moreover, in view of applicant's specification, the computer readable medium is not

limited to tangible embodiments, instead of being defining as including tangible embodiments

(e.g., ROM, EEPROM) and intangible embodiments (for example, data signals in a carrier wave-

--paragraph 3 of Page 36 of applicant's specification). As such, the claims are not limited to

statutory subject matter and therefore non-statutory.

The claim 33 is thus non-statutory. The claims 34-35 depend upon the claim 33 and are

rejected for the same reasons set forth in the claim 33.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adobe After

Effect Version 4.0, July 15, 1999, http://proquest.safaribooksonline.com/0201658917

(hereinafter After-Effects; for applicant's convenience, a number of relevant pages from the e-

book has been printed out and the printed-out-pages are renumbered for ease of reference) in

view of Phillips US Patent No. 6,215,485 (hereinafter Phillips).

1.   Re Claims 1, 8, 15, 21:

After-Effects teaches a method of manipulating a presentation of a time based stream

(e.g., adding effects to a movie clip, an animation clip, etc) of information in a processing

system, the method comprising:

Rendering modifications (*such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12*) of a first representation of a presentation (*e.g., rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on wherein effects correspond to edit features of the claim invention; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. This last sentence exactly teaches that when you render the actual composition, After Effects will display the proxy during the rendering of the actual composition.*

Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. This last sentence exactly teaches that displaying the first representation of the presentation by skipping the displaying of the proxy---the second representation of the presentation.

Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition) that include adding an edit feature to the first representation of the presentation that has one or more references (*The edit feature includes the settings in the Render Settings window which can be changed by a user; see Page 2 and 6 or rendering at lower-resolution of an original movie; the one or more references are the pixel positions/locations/coordinates/time-stamps*

corresponding to the proxy frame and/or the original frame in the sequence of frames), to create

a revised presentation, and storing the modifications in a file for the presentation in response to a

user edit command (*effects and properties applied to the proxies or the lower-resolution*

counterparts are applied to the actual footage stored in ActHiR.mov----wherein the revised

footage stored in ActHiR.mov meets the claim limitation of "a file for the presentation"),

wherein the one or more references (*e.g., pixel positions/locations/coordinates/time-stamps*

corresponding to the proxy frame and/or the original frame in the sequence of frames) have

instructions to manipulate the time based stream of information (*e.g., rendering the project*

07Movie.mov which is a sequence of frames within a movie; see Page 2 and 6 wherein the

Render Settings window should be checked for the following settings: Use No Proxies and

"Effects All" on wherein Effects correspond to edit features of the claim invention are applied to

the lower-resolution proxies; With After Effects, the user can also import high-resolution

footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of

the original footage from the Composition window; see Page 9-12. When you use the

ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and

properties applied to the proxy are applied to the actual footage when the movie is rendered with

Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even

though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit

features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the

composition twice to give the sky a glow; see Page 25 wherein movies are combined); and

Creating a proxy, which is a second representation of the presentation during the

rendering of the modifications of the first representation, the proxy including a simulation of the

modifications (*The original movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps; See also Page 22, proxies including FX_Prx.mov are created during the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames; see Page 21-31 wherein a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project. It is clear that the proxy frames are created during the rendering of the ActHiR.mov as effects are added to the original movie and the proxy frames simulate the modifications/changes/effects to the original movie*), wherein the creating the proxy includes simulating the adding of the edit feature to the first representation of the presentation (*The claimed simulation of the modifications corresponds to the proxy frames being simulated on a display with the new effects being added to the proxy footage while being presented on the display and the simulation of the modifications is later stored as a proxy file FX_HiR.mov----representing the proxy footage. Thus, creating the proxy footage ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the presentation since the simulation of the modifications is related to effects being added to the proxy footage---- ActPrx.mov or FX_HiR.mov---being presented on a display, as opposed to the actual movie footage----ActHiR.mov----being rendered on a storage while the proxy is displayed and the editing effects are simulated. The actual movie footage with the rendered editing effects can be brought from the storage into view by the user. The simulation of modifications is added*

to the proxy frames on a display as the proxy footage is created during the rendering and/or

adding of the editing features. The original movie footage can be rendered at lower-resolution

proxy on a display during the rendering; see Page 7-11 wherein the proxy representing Photo-

JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects

such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of

time-based streams such as the movie at 24 fps; See Page 22, proxy is created during the

rendering on a display; see Page 30-31 wherein a variety of effects are applied to the lower-

resolution proxies/counterparts of the original image frames of the movie project. See Pages 9-

12, the effects and properties applied to the proxies or the lower-resolution counterparts are

applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by

adding effects to the original movie footage to create a revised movie footage; see Page 11-12.

This above passage describes that the proxy is displayed during the rendering of the effects and

properties to the actual movie footage.

See Page 11 wherein ActPrx.mov is a proxy movie footage of ActHiR.mov; see Pages

22-31 for the lower-resolution counterparts/proxies of the original movie);

Sending the proxy to a display (See Page 22, you'll set proxies to speed up screen

redraw; see Page 31 wherein the lower-resolution proxies are displayed) and

Displaying the proxy, which is the second representation of the presentation during the

rendering the modifications of the first representation of the presentation (*See Page 22, you'll set*

proxies to speed up screen redraw; see Page 31 wherein the lower-resolution proxies are

displayed during rendering of the effects and properties to the actual movie footage into a

memory or a filed stored in ActHiR.mov and the effects-rendered actual movie footage can be

brought into view from the storage by the user wherein the user determines whether to view the

effects-rendered proxy or the effects-rendered actual movie footage while the effects and

properties are being applied or have been applied to the original movie footage).

However, it needs to be shown whether Adobe After Effects explicitly discloses the claim limitation "during" without the claim limitation of "displaying the proxy, which is the second representation of the presentation during rendering the modifications of the first representation of the presentation. Adobe After Effects at least implicitly disclose the claim limitation because Adobe After Effect discloses at Pages 9-12 that the effects and properties applied to the proxies or the lower-resolution counterparts <u>are applied to the actual footage stored in ActHiR.mov</u>---- wherein the movie has been revised by adding effects to the original movie footage to create a revised movie footage. This above passage describes that the proxy is displayed during the rendering of the effects and properties to the actual movie footage into a memory of a filed stored as ActHiR.mov file. The user determines whether to view the proxy with the rendered effects or the actual movie footage with the rendered effects. During the rendering of the effects, the proxy movie with the rendered effects is viewed while the effects are also rendered to ActHiR.mov. The effects are being applied or have been applied to the sequence of frames of the movie in the process of rendering and/or in the processing of presentation. When the actual movie footage with the rendered effects is toggled to be viewed in a viewing window, the proxy with the rendered effects is not viewed concurrently after effects are rendered.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that <u>the effects and properties applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored in ActHiR.mov wherein the effects and properties are rendered to a memory or a file called ActHiR.mov during the displaying of the proxies or the low-resolution counterparts.</u>

After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window in <u>a sequence</u> of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is <u>extracted</u> based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed and while the effects and properties are actually being performed on the actual movie footage on a storage to create the revised footage. For this reason, After-Effect teaches <u>a first representation (on a storage) of the presentation</u> of a time-based stream of information---actual footage---as first represented by actual footage movie and then second represented (on a display) by the proxy movie footage at a resolution and frame rate set by the user.

The ActHiR.mov represents the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the

sequence of the image frames. The claimed <u>simulation of the modifications</u> corresponds to the

simulation of the effects and properties on the proxy frames on a display device at the user

selected resolution and frame rate while the new effects are added to the proxy frames. Thus,

creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the

effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---

ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original

footage to create a revised movie footage----ActHiR.mov----which is resident on a storage.

When the effects being added to the movie footage---ActHiR.mov---stored on a storage device,

simulation occurs within the storage file, ActHiR.mov. The simulation of modifications refers to

the simulation of the proxy footage when the effects are added to the proxy frames as visualized

on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the

rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at

quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects

are applied to produce the proxy during the rendering of a plurality of time-based streams such as

the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See

also Page 30-31 wherein a variety of effects are applied to the lower-resolution

proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that <u>the effects and properties</u>

<u>applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored</u>

<u>in ActHiR.mov</u>----wherein the movie has been revised by adding effects to the original footage.

See Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the

lower-resolution counterparts/proxies of the original movie footage.

        In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the

plug-ins or effects to be added to a movie to produce modifications of an original movie rendered

as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects

teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After

Effects teaches rendering the project named 07Movie.mov, which represents a sequence of

frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window

should be checked for the following settings: Use No Proxies and Effects All on. With After

Effects, a user can also import high-resolution footage of an actor filmed against a blue screen

and create a proxy or a lower-resolution copy of the original footage from the Composition

window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition,

After Effects will use the proxy for display. Effects and properties are applied to the actual

footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use

menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is

set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After

Effects teaches that the edit feature includes the settings in the Render Settings window wherein

the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution

copy of an original movie, the references set forth in the claim invention correspond to the pixel

positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in

correspondence with the original frame(s). After Effects teaches storing the modifications in

response to a user edit command wherein the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov wherein the editing effects are rendered to the actual footage.

In Page 11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11, After Effects teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the proxies of the original movie are displayed as lower-resolution image frames. After Effects further teaches manipulating the time based stream of information in which the project 07Movie.mov is a time based stream of information and is rendered as a sequence of frames representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and "Effects All" on and the edit effects correspond to edit features of the claim invention are applied to the lower-resolution proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to completion of the rendering. Adobe After Effects teaches that the original movie can be rendered at lower-resolution during the rendering and the lower-resolution proxy is created/generated when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie frames and at a frame rate of 24 fps less than the original movie's frame rate. Since the original movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie is modified when rendered. Moreover, when rendering the original movie, special effects such as Converter effects are applied to produce a revised presentation. The edit effects such as Cineon Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page

22, proxies including FX_Prx.mov are created during the rendering and prior to completion of the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed. After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Nevertheless, Phillips teaches the claim limitation of "during". Phillips discloses at col. 10, lines 5-20, column 12, lines 28-51 that the high-resolution images with special effects 332

are rendered on the film recorder while the proxy---low resolution video images 335 are

displayed to editor 110 in which the artist 120 renders the special effects. Phillips also discloses

at column 24, lines 10-16 that the video proxy image 335 may be a high resolution HDTV

image. Therefore, the editing may be performed while displayed on both the low-resolution

proxy images and the high-resolution images.

It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to have combined the teaching of Phillips and Adobe After Effects because the

references alone or in combination teaches the claim limitations set forth in the base claim 1.

Having the combined teaching, one of the ordinary skill in the art would have been motivated to

provide viewing of the edited effects as proxy while the effects are actually rendered in a high

resolution complex movie thus less resources are required to present the effects rendered movie

as proxy movie (See Adobe After Effects Pages 9-22 and Phillips col. 10-12).

Re Claims 2, 9, 16, 22:

The claims recite additional claimed limitation of displaying units of the presentation in

response to the user edit command and sending instructions for creating the proxy when a unit

requiring modification is reached. However, After Effect further disclose the claim limitation of

displaying units of the presentation in response to the user edit command and sending

instructions for creating the proxy when a unit requiring modification is reached (After teaches in

Page 11 displaying the proxy footage or movie frames by clicking the proxy indicator to turn it

on or off. After Effects teaches in Page 23 creating a new composition at lower-resolution and

the lower frame rate upon the user's edit command).

Re Claims 3, 10, 17, 23:

The claims recite additional limitation of creating proxy by drawing an imitation of the edit

feature. However, After Effects further discloses the claim limitation of creating proxy by

drawing an imitation of the edit feature (See Pages 30-31 wherein the imitation of the edit

feature is drawn).

Re Claims 4, 11, 18, 24:

The claims recite additional claimed limitation of the edit feature being text and the

imitation including simulated character, size and font. However, After Effect further discloses

the claim limitation of the edit feature being text and the imitation including simulated character,

size and font (See Pages 32-34).

Re Claims 5, 12 and 25:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional

claimed limitation of a first software component having instructions for adding the edit feature

and the first software component being separate from a second software component that has

instructions for creating the proxy. However, After Effect further discloses the claimed limitation

of a first software component having instructions for adding the edit feature (the file-format

plug-in in Page 35 which presents the Cineon file to After Effects or the Wave Warp plug-in in

Page 36) and the first software component being separate from a second software component that

has instructions for creating the proxy (See Page 23 wherein a new composition as a proxy of the

original movie is rendered using the Adobe After Effects software which is separate from the

plug-in; see Page 41 for the After Effects 4.0 Production Bundle).

Re Claims 6, 13, 19 and 25:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional

claimed limitation of the second software unit being a plug-in or ActiveX control.

After Effect further discloses the claim limitation of the second software unit being a

plug-in or ActiveX control (for plug-in see Page 1 or the file-format plug-in in Page 35 or the

Wave Warp plug-in in Page 36).

Re Claims 7, 14, 20 and 26:

The claims set forth additional claim limitation of displaying of the proxy at a rate that is

substantially less than the play rate of the time-based stream of information.

After Effects further discloses the claim limitation of displaying of the proxy at a rate that

is substantially less than the play rate of the time-based stream of information (*The original*

movie can be rendered at lower-resolution proxy during the rendering; see Page 7-11 wherein

the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate

of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the

rendering of a plurality of time-based streams such as the movie at 24 fps which is much less

than the native playback speed of the original movie).

2.   Re Claims 27, 30, 33 and 36:

        After-Effects teaches a method comprising:

        Receiving an edit command (*such as plug-ins, effects, images added to a movie; see page 1 and 35 or modifications of an original movie at lower-resolution; see also Page 31 wherein effects/coordinates can be controlled in the Effect Controls window; see Pages 9-12*);

        Retrieving a first unit of time based stream of information in response to the edit command (*e.g., rendering the project 07Movie.mov which is a sequence of frames of the movie; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on wherein effects correspond to edit features of the claim invention; With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. This last sentence exactly teaches that when you render the actual composition, After Effects will display the proxy during the rendering of the actual composition. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. This last sentence exactly teaches that displaying the first representation of the presentation by skipping the displaying of the proxy---the second representation of the presentation. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition*);

        Determining whether the first unit requires a modification according to the edit command (*The edit feature includes the settings in the Render Settings window which can be changed by a*

user; see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and "Use No Proxies" correspond to displaying the first representation of the first unit after the modification has been made. With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow; see Page 25 wherein movies are combined);

Adding an edit feature to a first representation of the first unit if the first unit requires the modification (*With After Effects, the user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see Page 9-12. When you use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 152*384, it behaves as if it's 2048*1536 in the composition. Other edit features or effects can be found in*

Page 24; adding the FX_HiR.mov footage item to the composition twice to give the sky a glow;

see Page 25 wherein movies are combined);

Creating a first proxy if the first unit requires the modification, wherein the first proxy

has a second representation of the first unit (*The original movie can be rendered at lower-*

resolution proxy during the rendering; see Page 7-11 wherein the proxy representing Photo-

JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects

such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of

time-based streams such as the movie at 24 fps; See also Page 22, proxies including

FX_Prx.mov are created during the rendering wherein proxy images and/or effects are added to

the movie FX_HiR.mov and the proxy frames of FX_HiR.mov are rendered at the user-selectable

resolution with the effects being added to the proxy frames; see Page 21-31 wherein a variety of

effects are applied to the lower-resolution proxies/counterparts of the original image frames of

the movie project. It is clear that the proxy frames are created during the rendering of the

ActHiR.mov as effects are added to the original movie and the proxy frames simulate the

modifications/changes/effects to the original movie. The claimed simulation of the modifications

corresponds to the proxy frames being simulated on a display with the new effects being added to

the proxy footage while being presented on the display and the simulation of the modifications is

later stored as a proxy file FX_HiR.mov----representing the proxy footage. Thus, creating the

proxy footage ActPrx.mov or FX_HiR.mov includes simulating the adding of the effects to the

presentation since the simulation of the modifications is related to effects being added to the

proxy footage---- ActPrx.mov or FX_HiR.mov---being presented on a display, as opposed to the

actual movie footage----ActHiR.mov----being rendered on a storage while the proxy is displayed

and the editing effects are simulated. The actual movie footage with the rendered editing effects

can be brought from the storage into view by the user. The simulation of modifications is added

to the proxy frames on a display as the proxy footage is created during the rendering and/or

adding of the editing features. The original movie footage can be rendered at lower-resolution

proxy on a display during the rendering; see Page 7-11 wherein the proxy representing Photo-

JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects

such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of

time-based streams such as the movie at 24 fps; See Page 22, proxy is created during the

rendering on a display; see Page 30-31 wherein a variety of effects are applied to the lower-

resolution proxies/counterparts of the original image frames of the movie project. See Pages 9-

12, the <u>effects and properties applied to the proxies or the lower-resolution counterparts are</u>

<u>applied to the actual footage stored in ActHiR.mov----wherein the movie has been revised by</u>

<u>adding effects to the original movie footage to create a revised movie footage; see Page 11-12.</u>

<u>This above passage describes that the proxy is displayed during the rendering of the effects and</u>

<u>properties to the actual movie footage. See Page 11 wherein ActPrx.mov is a proxy movie</u>

<u>footage of ActHiR.mov; see Pages 22-31 for the lower-resolution counterparts/proxies of the</u>

<u>original movie</u>); and

Displaying the second representation of the first unit while adding the edit feature to the

first representation of the first unit (*<u>See Page 22, you'll set proxies to speed up screen redraw;</u>*

<u>see Page 31 wherein the lower-resolution proxies are displayed during rendering of the effects</u>

<u>and properties to the actual movie footage stored in ActHiR.mov and the effects-rendered actual</u>

movie footage can be brought into view from the storage by the user wherein the user determines

whether to view the effects-rendered proxy or the effects-rendered actual movie footage).

However, it needs to be shown whether Adobe After Effects explicitly discloses the claim

limitation "during" without the claim limitation of "displaying the proxy, which is the second

representation of the presentation during rendering the modifications of the first representation of

the presentation. Adobe After Effects at least implicitly disclose the claim limitation because

Adobe After Effect discloses at Pages 9-12 that the effects and properties applied to the proxies

or the lower-resolution counterparts <u>are applied to the actual footage stored in ActHiR.mov</u>----

wherein the movie has been revised by adding effects to the original movie footage to create a

revised movie footage. This above passage describes that the proxy is displayed during the

rendering of the effects and properties to the actual movie footage stored in ActHiR.mov file.

The user determines whether to view the proxy with the rendered effects or the actual movie

footage with the rendered effects. During the rendering of the effects, the proxy with the

rendered effects is viewed while the effects are also rendered to ActHiR.mov. When the actual

movie footage with the rendered effects is toggled to be viewed in a viewing window, the proxy

with the rendered effects is not viewed concurrently after effects are rendered.

In a non-limiting example, Adobe After-Effect teaches at Pages 9-12 that <u>the effects and</u>

<u>properties applied to the proxies or the lower-resolution counterparts are applied to the actual</u>

<u>footage stored in ActHiR.mov wherein the effects and properties are rendered to ActHiR.mov</u>

<u>during the displaying of the proxies or the low-resolution counterparts.</u>

After-Effect thus teaches storing and rendering the modifications (effects and properties) in a file ActHiR.mov for the presentation of the effects/properties as proxies and for the presentation of the movie represented by the proxy sequence of frames while rendering the effects and properties on the application window with a sequence of the proxy image frames. The proxy sequence of frames representing the movie footage can be presented on the application window upon the user's selection/determination. The original movie footage can be revised by adding effects to the original movie footage to provide revised movie footage while the effects are applied to the proxy frames as well as the actual footage. Since the proxy movie footage is extracted based on the actual footage or the revised footage, the presentation of the proxy movie footage is also a presentation of the actual footage while editing is visualized on the displayed while actually being performed on the actual movie footage wherein the effects and properties are applied to the actual footage to create the revised footage. For this reason, After-Effect teaches a first representation of the presentation of a time-based stream of information---actual footage---as first represented by actual footage movie and then second represented by the proxy movie footage at a resolution and frame rate set by the user.

The ActHiR.mov represents the revised movie as modified from the original footage after rendering the effects to the original footage in a presentation of the editing effects with the sequence of the image frames. The claimed simulation of the modifications corresponds to the simulation of the effects and properties on the proxy frames on a display device at the user selected resolution and frame rate while the new effects are added to the proxy frames. Thus,

creating the proxy movie ActPrx.mov or FX_HiR.mov includes simulating the adding of the

effects to the presentation.

Since the simulation of the modifications is related to effects being added to the proxy---

ActPrx.mov or FX_HiR.mov---on a display, as opposed to adding the edit features to the original

footage to create a revised movie footage----ActHiR.mov----which is resident on a storage.

When the effects being added to the movie footage---ActHiR.mov---stored on a storage device,

simulation occurs within the storage file, ActHiR.mov, rather than on the presentation. The

simulation of modifications refers to the simulation of the proxy footage when the effects are

added to the proxy frames on a display as the proxy footage is created during the rendering.

The original footage can be rendered at lower-resolution proxy on a display during the

rendering. See Pages 7-11, wherein the proxy representing Photo-JPEG images are rendered at

quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects

are applied to produce the proxy during the rendering of a plurality of time-based streams such as

the movie at 24 fps. See also Page 22, proxy is created during the rendering on a display. See

also Page 30-31 wherein a variety of effects are applied to the lower-resolution

proxies/counterparts of the original image frames of the movie project.

Importantly, Adobe After-Effect teaches at Pages 9-12 that <u>the effects and properties</u>

<u>applied to the proxies or the lower-resolution counterparts are applied to the actual footage stored</u>

<u>in ActHiR.mov</u>----wherein the movie has been revised by adding effects to the original footage.

See Page 11 wherein ActPrx.mov is a proxy movie of ActHiR.mov; see Pages 22-31 for the

lower-resolution counterparts/proxies of the original movie footage.

In a non-limiting example, Adobe After Effects teaches in Page 36 and 41 providing the plug-ins or effects to be added to a movie to produce modifications of an original movie rendered as lower-resolution image frames or proxies of the original movie. In Page 31 After Effects teaches that effects/coordinates can be controlled in the Effect Controls window. Adobe After Effects teaches rendering the project named 07Movie.mov, which represents a sequence of frames of the movie. In Page 2 and 6, After Effects teaches that the Render Settings window should be checked for the following settings: Use No Proxies and Effects All on. With After Effects, a user can also import high-resolution footage of an actor filmed against a blue screen and create a proxy or a lower-resolution copy of the original footage from the Composition window; see for example, Page 9-12. When a user use the ActHiR.mov file in a composition, After Effects will use the proxy for display. Effects and properties are applied to the actual footage when the movie is rendered as a proxy with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box in which a proxy is rendered. Even though the proxy is set to a lower-resolution of 152*384, it behaves as if it's 2048*1536 in the composition. After Effects teaches that the edit feature includes the settings in the Render Settings window wherein the settings can be changed by a user. Referring to the Page 2 and 6, to render a lower-resolution copy of an original movie, the references set forth in the claim invention correspond to the pixel positions/locations/coordinates/frame-time-stamps of the proxy frame(s) and/or the effects in correspondence with the original frame(s). After Effects teaches storing the modifications in response to a user edit command wherein the effects and properties applied to the proxies or the lower-resolution counterparts are also applied to the actual footage, e.g., ActHiR.mov wherein the editing effects are rendered to the actual footage.

In Page 11-12 After Effects teaches that the proxy is stored in the file folder. In Page 11,

After Effects teaches that ActPrx.mov is a proxy movie of ActHiR.mov and in Pages 22-31 the

proxies of the original movie are displayed as lower-resolution image frames. After Effects

further teaches manipulating the time based stream of information in which the project

07Movie.mov is a time based stream of information and is rendered as a sequence of frames

representing a movie. In Page 2 and 6 After Effects teaches that the Render Settings window

should be checked for the following settings: Use No Proxies and "Effects All" on and the edit

effects correspond to edit features of the claim invention are applied to the lower-resolution

proxies at the spatial pixel coordinates while sampling the movie at a frame rate.

After Effects further teaches creating a proxy during the rendering and prior to

completion of the rendering. Adobe After Effects teaches that the original movie can be rendered

at lower-resolution during the rendering and the lower-resolution proxy is created/generated

when it is rendered. In a non-limiting example, in Page 7-11, the After Effects teaches that the

proxy representing Photo-JPEG images is rendered at quarter resolution of the original movie

frames and at a frame rate of 24 fps less than the original movie's frame rate. Since the original

movie is rendered at the lower-resolution and at lower frame rate as proxies, the original movie

is modified when rendered. Moreover, when rendering the original movie, special effects such as

Converter effects are applied to produce a revised presentation. The edit effects such as Cineon

Converter effects are applied to the proxy during the rendering of the movie at 24 fps. In Page

22, proxies including FX_Prx.mov are created during the rendering and prior to completion of

the rendering wherein proxy images and/or effects are added to the movie FX_HiR.mov and the

proxy frames of FX_HiR.mov are rendered at the user-selectable resolution with the effects

being added to the proxy frames. In Page 21-31, a variety of effects are applied to the lower-resolution proxies/counterparts of the original image frames of the movie project.

After Effects teaches the claim limitation that the creating the proxy includes simulating the edit feature on the presentation. Adobe After Effects teaches that the original movie can be rendered as a lower-resolution proxy copy during the rendering. In Page 7-11, After Effects teaches that the proxy representing Photo-JPEG images are rendered at quarter resolution and a frame rate of 24 fps and the edit effects such as Cineon Converter effects are applied to the proxy during the rendering of a plurality of time-based streams such as the movie at 24 fps. In Page 22, it is further illustrated that a proxy is created during the rendering and prior to completion of the rendering. In Page 30-31, a variety of effects are applied to the lower-resolution proxies or counterparts of the original image frames of the movie project.

After Effects teaches sending the proxy to display. In Page 22 After Effects teaches that you'll set proxies to speed up screen redraw and in Page 31 After Effects teaches that the lower-resolution proxies are displayed. After Effects teaches displaying the proxy during the rendering. In Page 22, After Effects teaches you'll set proxies to speed up screen redraw and thus proxies are displayed for screen redraw. In Page 31 After Effects teaches that the lower-resolution proxies are displayed.

Nevertheless, Phillips teaches the claim limitation of "during". Phillips discloses at col. 10, lines 5-20, column 12, lines 28-51 that the high-resolution images with special effects 332 are rendered on the film recorder while the proxy---low resolution video images 335 are displayed to editor 110 in which the artist 120 renders the special effects. Phillips also discloses at column 24, lines 10-16 that the video proxy image 335 may be a high resolution HDTV

image. Therefore, the editing may be performed while displayed on both the low-resolution proxy images and the high-resolution images.

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to have combined the teaching of Phillips and Adobe After Effects because the references alone or in combination teaches the claim limitations set forth in the base claim 1. Having the combined teaching, one of the ordinary skill in the art would have been motivated to provide viewing of the edited effects as proxy while the effects are actually rendered in a high resolution complex movie thus less resources are required to display the effects rendered movie (See Adobe After Effects Pages 9-22 and Phillips col. 10-12).

Re Claims 28, 31, 34 and 37:

Adobe After Effects and Phillips further teach the claim limitation of displaying the first representation of the first unit if the first unit does not require the modification (*see Page 2 and 6 wherein the Render Settings window should be checked for the following settings: "Use No Proxies" and "Effects All" on wherein the option settings and effects are determined in order to allow the selected edit command to be rendered on the actual movie footage. Effects correspond to edit features of the claim invention to be rendered on the actual footage movie and "Use No Proxies" correspond to displaying the first representation of the first unit after the modification has been made.*).

Re Claims 29, 32, 35 and 38:

Adobe After Effects and Phillips further teach the claim limitation of determining whether the first representation of the unit is displayed and skipping the displaying of the second

representation of the first unit if the first representation of the first unit is displayed (*see Page 2*

and 6 wherein the Render Settings window should be checked for the following settings: "Use

No Proxies" and "Effects All" on wherein the option settings and effects are determined in order

to allow the selected edit command to be rendered on the actual movie footage. Effects

correspond to edit features of the claim invention to be rendered on the actual footage movie and

"Use No Proxies" correspond to displaying the first representation of the first unit after the

modification has been made.).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jin-Cheng Wang whose telephone number is (571) 272-7665.

The examiner can normally be reached on 8:00 - 6:30 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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/Jin-Cheng Wang/
Primary Examiner, Art Unit 2628